



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 3258 OF 2024

1. Dr. Sanjay Khudale,
Aged about 56 yrs,
Occ. Service/Principal
D.D. Bhoyar Arts & Science College,
Mouda, Dist. Nagpur 411 104

2. Ujjwal Bahuudhesiya Sanstha,
Uday Nagar, Nagpur,
Through its Secretary,

...PETITIONERS

...V E R S U S...

1. Shri Manoj Kawaduji Shingane,
Aged about 42 yrs, Occ. Service,
R/o Ward No. 5, Santaji Nagar,
Kandri Post Kanhar,
Tq. Parseoni, Dist. Nagpur.

2. The University and College Tribunal,
Rashtrasant Tukdoji Maharaj Nagpur
University, Nagpur, through
its Presiding Officer

3. Rashtrasant Tukdoji Maharaj Nagpur
University, Nagpur, Office at
Department of Colleges and
University Development (DCUD),
University Campus, Amravati Road,
Nagpur 440 010, through its Vice Chancellor.

4. The Grievances Committee,
Rashtrasant Tukdoji Maharaj Nagpur
University, Nagpur, Office at
Department of Colleges and
University Development (DCUD),
University Campus, Amravati Road,
Nagpur 440 010, through its Chairman.

...RESPONDENTS

Mr. S.P. Rajurkar, Advocate h/f Mr. Anand Parchure, Advocate for petitioners.

Mr. Naquid Z Mirza, Advocate for respondent No.1

Mr. C.G. Deo, Advocate h/f Mr. D.R. Bhoyar, Advocate for respondent Nos. 3 and 4.

CORAM:- M.W. CHANDWANI, J.

DATE :- 10.03.2026

ORAL JUDGMENT:

1. Heard. Rule. Rule made returnable forthwith. Heard the learned counsel for the petitioners and the learned counsels for the respondents.

2. The petitioners challenge the order dated 22.02.2024, passed by respondent No. 2 – Presiding Officer of the University and College Tribunal, Rashtrasant Tukdoji Maharaj Nagpur University, Nagpur (for short, “Tribunal”), in Appeal No. N-16/2022 wherein the order dated 12.8.2021, passed by respondent No. 4 - Chairman of the Grievance Committee, Rashtrasant Tukdoji Maharaj Nagpur University, Nagpur, in Grievance Petition No. 15/2019 (for short, “Grievance Committee”) was quashed and set aside and the matter was remanded back to the Grievance Committee for deciding the same afresh.

3. Respondent No. 1 is a Lecturer working with petitioner No. 2. He made grievance against the petitioners before the Grievance Committee, under Section 79(1) of the Maharashtra Public Universities Act, 2016 (for short, “Act of 2016”). The Grievance Committee partly allowed the Grievance Petition of respondent No.1. The order passed by Grievance Committee came to be challenged by respondent No.1 before the Tribunal on the ground that grievance of respondent No. 1 has not been duly considered. Pending the said appeal, an application for remanding the matter to Grievance Committee was also filed by respondent No. 1 before the Tribunal for deciding it afresh, on the ground that the said decision of the Grievance Committee is signed only by the Chairman of the Grievance Committee and not by other members. Pursuant to the said application, the Tribunal passed the impugned order. By setting aside the order passed by the Grievance Committee, the matter was remanded back to Grievance Committee for a fresh decision on the ground that it was not signed by all the members of the Grievance Committee.

4. The contention of learned counsel appearing on behalf of the petitioners is that the decision is not required to be signed by each member of the Grievance Committee but signature of the

Chairman is sufficient. To buttress his submission, he seeks to rely on the Direction No. 21 of 2021, issued by the Vice Chancellor of the Rashtrasant Tukdoji Maharaj University, Nagpur which has now become part of the statute under the Act of 2016. Reliance is placed on Clause 20 of the said Direction, which is reproduced as under:

“20.(1) The decision rendered by the Grievances Committee shall as far as possible be in the form of an order of the Civil Court and it shall be signed by the Chairman and members of the Grievances Committee present on the date of decision of the complainant.

(2) Before pronouncement of final / interim order the members of the Grievance Committee shall discuss the facts and the legal aspects involved in the matter and the same shall be considered by the Chairman while drafting the final order.

(3) Since, the decision is taken only after due discussion and deliberation between members of Grievances Committee including the chairman, it will be sufficient to sign the judgment/ order by the Chairman alone and it will not be necessary for all the members to sign it. Where, however, a member or members differ on the final decision taken by majority, such member(s) shall record his/their decision in the final order and also sign the judgment/order.

Relying on Clause 20 Sub Clause 3, learned counsel for the petitioners submit that all members were present in the meeting when the decision was given and just because they have not signed

the order, that order will not become non est for absence of signature of other members of the Grievance Committee.

5. Perusal of Clause 20 of the Directions No. 21 reveals that the decision has to be taken by the Grievance Committee after due discussion and deliberation amongst the members of the Grievance Committee including the Chairman and it will not be necessary that by all the members of the Grievance Committee sign the decision since signature of the Chairman would be sufficient.

6. No doubt, in wake of Clause 20 of the Direction No. 21, not every decision is to be signed by all members of the Grievance Committee but what is mandated is the presence of evidence that there was due discussion and deliberation between the members of the Grievance Committee, even if, the decision is not signed by the other members of the Grievance Committee. The reliance is placed on Attendance Sheet of members of the Grievance Committee but that does not demonstrate that all members of the Grievance Committee were in agreement with the judgment written by the Chairman of the Grievance Committee.

7. Thus, the due deliberation of all the member of

Grievance Committee in the form of minute ought to have been recorded but there is nothing on record to suggest that all members of the Grievance Committee agreed to the decision taken by the Chairman after due deliberation. Mere observation in the dictum by the Chairman in this regard cannot be helpful to the petitioners.

8. In absence of any material to show in the form of minutes or in the form of affidavit filed by the members of the Grievance Committee that they also concur with the decision taken by the Chairman, no fault can be found in the order of the Tribunal.

Hence, the petition being devoid of merit, it is dismissed.

(M.W. CHANDWANI, J.)